



TERMINAL DISCLAIMER TO ACCOMPANY PETITION

Docket Number (Optional)

JJJ-P07-503

In re Application of:

Name: Sampath et al.

Application Number: 09/597517


Filed: June 20, 2000

For: METHOD FOR REDUCING TISSUE DAMAGE ASSOCIATED WITH ISCHEMIA-REPERFUSION
OR HYPOXIA INJURY

The owner*, Curis, Inc. of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
2. ☒ The undersigned is an attorney or agent of record.


Signature

June 9, 2004
Date

(212) 497-3624
Telephone Number

Gloria M. Fuentes - 47,580
Typed or Printed name

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

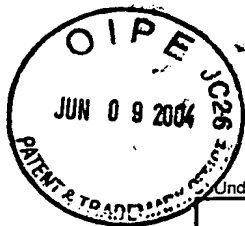
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

06/15/2004 CNGUYEN 00000085 181945 09597517
02 FC:1814 110.00 DA

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER518341145US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 6/9/04

Signature: Andrea Silverman (Andrea Silverman)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☒ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ 110.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Applicants note that this application is being revived for the purpose of filing a continuation application under 37 C.F.R. 1.53(b).

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

June 9, 2004
Date

Gloria Fuentes
Signature

Telephone
Number: (212) 497-3624

Gloria Fuentes - 47,580
Typed or printed name

ROPES & GRAY LLP
45 Rockefeller Plaza
New York, New York 10111-0087
Address

- Enclosures: ☒ Fee Payment
- ☒ Reply (Continuation Application – Exhibit 1)
- ☒ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER518341145US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 6/9/04

Signature: *Andrea Silverman* (Andrea Silverman)